

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MISSOURI  
SOUTHWESTERN DIVISION**

UNITED STATES OF AMERICA, )  
                                )  
Plaintiff,                 )  
                                )  
v.                            ) No. 07-5075-CV-SW-DW  
                                )  
A TRACT OF LAND IN         )  
BARTON COUNTY, MISSOURI, )  
and,                         )  
UNITED STATES CURRENCY IN THE )  
AMOUNT OF \$2,082,         )  
                                )  
Defendants.                 )

**ORDER OF DEFAULT JUDGMENT OF FORFEITURE**

Plaintiff, United States of America, has moved this Court, pursuant to Rule 55(b)(2) of the Federal Rules of Civil Procedure, for entry of a final judgment by default. Plaintiff has shown that there was reasonable cause for seizure of the defendant \$2,082 in United States currency; that the defendant real property has not been seized to date; that a complaint for forfeiture was filed against the defendant \$2,082 in United States currency and the defendant real property, 376 S.W. 90<sup>th</sup> Road, Sheldon, Barton County, Missouri; that all known potential claimants were served with process; and that any and all other claimants have been served by publication.

One claim was filed against the defendant real property, by Linda Emmerson on September 5, 2007. However, Ms. Emmerson failed to file an answer to the complaint. Therefore, her claim was stricken on February 26, 2008. No other potential claimant filed a claim to the defendant properties. Therefore, it is hereby

ORDERED, ADJUDGED AND DECREED:

(1) that a default judgment of forfeiture is hereby entered against the defendant \$2,082 in United States currency and the defendant real property located at 376 N.W. 90<sup>th</sup> Road, Sheldon, Barton County, Missouri, with all appurtenances, improvements, and attachments thereon, more fully described as follows:

All of the Southwest Quarter (SW 1/4) of Section Five (5), Township Thirty-three (33), Range Thirty-one (31), Barton County, Missouri;

(2) that all persons claiming any right, title or interest in or to the defendant properties are held in default;

(3) that all claims and interests in the defendant properties are forever foreclosed and barred;

(4) that the defendant \$2,082.00 in United States currency is hereby forfeited to the United States of America pursuant to 21 U.S.C. § 881(a)(6);

(5) that the defendant \$2,082 in United States currency shall be disposed of according to law.

(6) that the defendant real property, 376 N.W. 90<sup>th</sup> Road, Sheldon, Barton County, Missouri, is hereby forfeited to the United States of America pursuant to 21 U.S.C. § 881(a)(7);

(7) that the United States Marshals Service or its designee shall seize and maintain custody of the defendant real property, 376 N.W. 90<sup>th</sup> Road, Sheldon, Barton County, Missouri, and dispose of it according to law;

(8) that the Clerk of the Court shall enter a judgment consistent with this order.

Dated: April 17, 2008.

/s/ Dean Whipple  
**DEAN WHIPPLE**  
**UNITED STATES DISTRICT JUDGE**